

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL NO. 3:13-cv-00264-MOC-DSC**

James Poarch,)	
)	
Plaintiff,)	
)	
v.)	<u>CERTIFICATION AND REPORT</u>
)	<u>OF INITIAL CONFERENCE</u>
Regional Adjustment Bureau, Inc.)	
)	
)	
Defendant.)	

Plaintiffs and Defendant, pursuant to Federal Rule of Civil Procedure 26(f) and Local Rule 16.1, respectfully submit this CERTIFICATION AND REPORT OF INITIAL CONFERENCE.

1. **Certification of Conference.** Pursuant to Federal Rule of Civil Procedure 26(f), the parties finalized this agreement on August 13, 2013, and was attended telephonically by the undersigned counsel for the designated parties in the above captioned case.
2. **Pre-Discovery Disclosures.** The information required by Fed. R. Civ. Pro. 26(a)(1) will be exchanged within fourteen days of the Court's entry of a scheduling order.
3. **Discovery Plan.** The parties jointly propose to the Court the following discovery plan:
 - a) All discovery shall be commenced in time to be completed by March 21, 2014.
 - b) Discovery Limits:
 - 1) Maximum of 25 interrogatories by each party to any other party.
 - 2) Maximum of 30 requests for admissions by each party to any other party.

3) Maximum of 5 depositions by plaintiff and 5 by each defendant.

Depositions of corporate representatives deposed pursuant to F.R. Civ.

Pro. 30(b)(6) shall be taken in the city and state of the deponent

corporation's principal place of business.

c) Reports from retained experts under Rule 26(a)(2) will be due:

-from plaintiff by December 20, 2013.

-from defendants by January 17, 2014.

Supplementations under Rule 26(e) are due within 20 days of knowledge

that a discovery response should be supplemented. If supplementation is

required after the completion of discovery, such supplementation shall be

made as soon as reasonably possible.

4. **Other Items.**

a) The parties do not request a conference with the Court before entry of the scheduling order.

b) All potentially dispositive motions shall be filed by April 18, 2014.

c) Settlement will continue to be evaluated on an ongoing basis by all parties working in good faith and may be enhanced by the use of a court hosted settlement conference. The parties agree that the above selected ADR procedure would be most useful if conducted late in the discovery period.

d) Final lists of witnesses and exhibits under Rule 26(a)(3) are due:

-from Plaintiff by May 23, 2014.

-from Defendants by June 20, 2014.

e) If the case is ultimately tried, the trial is expected to take approximately 1-2 days.

f) The parties have discussed magistrate jurisdiction and there is not unanimous consent to the same.

5. **Court's Attention to Other Matters.**

- a) Parties should have 10 days after service of final lists of witnesses and exhibits as specified in 4. (d) in this Certification and Report of Initial Conference to list objections under Rule 26(a)(3).
- b) The parties request a pretrial conference in July, 2014.
- c) Plaintiff should be allowed until September 20, 2013 to request leave to join additional parties or to amend pleadings.
- d) Defendants should be allowed until October 18, 2013 to request leave to join additional parties or to amend pleadings.

This the 16th day of August, 2013.

Respectfully submitted,

By /s/ Ruth M. Allen

Ruth M. Allen, Esq.
Bar Number: 34739
7413 Six Forks Road, Suite 326
Raleigh, NC 27615
Email: rallen@lemborglaw.com
Telephone: (855) 301-2100 Ext. 5536
Facsimile: (888) 953-6237
Attorney for Plaintiff

Of Counsel To:

LEMBERG & ASSOCIATES L.L.C.
1100 Summer Street, 3rd Floor
Stamford, CT 06905
Telephone: (203) 653-2250
Facsimile: (203) 653-3424

/s/ Ryan D. Bolick
Ryan D. Bolick, Esq.
Cranfill Sumner & Hartzog LLP
P.O. Box 30787
Charlotte, NC 28230

rbolick@cshlaw.com
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on August 16, 2013, a true and correct copy of the foregoing Certification and Report of Initial Conference was filed with the United States District Court for the Western District of North Carolina through the CM/ECF system and that the document is available online.

By /s/ Ruth M. Allen
Ruth M. Allen, Esq.